

**RESOLUTION Number 382**

**A RESOLUTION OF THE CITY OF MESQUITE, NEVADA ADOPTING THE CITY OF  
MESQUITE VIRGIN VALLEY HERITAGE MUSEUM COLLECTIONS POLICY**

**WHEREAS**, the mission of the City of Mesquite Virgin Valley Heritage Museum is to collect, preserve, research, interpret, and exhibit collections that represent the interests, history and cultural heritage of Mesquite, Virgin Valley, and southern Nevada; and

**WHEREAS**, the Mesquite City Council is the governing body which is charged with the fiduciary responsibility for the Museum and for approving museum policy; and

**WHEREAS**, this document establishes policies and explains administrative intent governing the acquisition, use and disposition of those collections by the City of Mesquite Virgin Valley Heritage Museum; and

**WHEREAS**, the City Council of the City of Mesquite finds the Collections Policy to be appropriate and advisable for the benefit of collections stewardship of the City of Mesquite Virgin Valley Heritage Museum;

**NOW, THEREFORE**, the City of Mesquite Virgin Valley Heritage Museum Collections Policy is approved and will become effective immediately.

**Passed and Adopted this 12<sup>th</sup> day of April, 2005**

**THE CITY OF MESQUITE**

By:   
**Bill Nicholes, Mayor**

**ATTEST:**

By:   
**Carol Woods, City Clerk**

# **City of Mesquite VIRGIN VALLEY HERITAGE MUSEUM COLLECTIONS POLICY**

## **PURPOSE**

The mission of the City of Mesquite Virgin Valley Heritage Museum is to collect, preserve, research, interpret, and exhibit collections (library, archives, and artifacts) that represent the interests, history and cultural heritage of Mesquite specifically, the Virgin Valley, and southern Nevada in general.

The Museum exists for the purpose of providing education, inspiration and aesthetic enrichment for all people (present and future) through exhibition and explanation.

The Museum's goal is to educate and enlighten people about the past history and cultural aspects of Mesquite, Virgin Valley and Nevada.

This document establishes policies and explains administrative intent governing the acquisition, use and disposition of those collections by the City of Mesquite Virgin Valley Heritage Museum herein after referred to as the Museum.

The rules set forth in this policy statement:

- Outline basic priorities for adding new objects to the collection.
- Provide direction for acquisition of collections by the Museum.
- Affirm that the highest ethical standards will be met by the Museum staff in all transactions, including avoidance of conflicts of interest.
- Affirm that the Museum staff will comply with all domestic laws and regulations governing the collecting of objects and the transfer of ownership of those objects.
- Assure that the standards of documentation for acquisitions equal or exceed those current in the respective disciplines relating to the collection.
- Define the conditions of acceptance that may be placed upon objects to be acquired by the Museum or on its behalf.
- Define the conditions and procedures for permanent removal of objects from the Museum collections.

## **Responsibility for Implementation of the Collections Policy**

The Museum Director is responsible for the day-to-day care and management of the collections and responsible for supervising the proper implementation of the collections policy.

## **SCOPE OF THE COLLECTIONS**

The objects in the City of Mesquite Virgin Valley Heritage Museum collections exist in one of the following categories:

1) Permanent Collections: Materials on, by, about, or representative of Mesquite/Virgin Valley and the activities of people who lived in Mesquite/Virgin Valley that are owned outright by the City of Mesquite, for the purpose of study and exhibition. The materials include, but are not

limited to archives, manuscripts, photographs, machine readable data, artifacts, specimens, and works of art.

2) Non-Accessioned Collections: Materials that exist at the Museum on a temporary basis. They consist of loans (short-term for purposes of exhibition). They may also include expendable (prop) objects which do not relate directly to the purpose of the museum but which contribute to and enhance the visual and education impact of exhibits.

3) Interpretive Collections: Expendable objects/materials which contribute to the educational programs of the museum, including research (information gained from research on collections, which is used in exhibits, lectures, publications and other appropriate media).

Objects are exhibited at the discretion of the Museum

## **ACQUISITIONS**

The Virgin Valley Heritage Museum collections can be improved by selective addition of new objects.

Donors must sign an unconditional gift agreement giving the City sole ownership of the item/s. The gift agreement, listing the items and signed by the donor and a Museum Director, makes the transaction official and provides both parties with a legal record of the gift. Items offered as long-term loans will not be accepted.

All acquisitions must be approved by the Museum Director. Acquisitions by purchase must be approved by the City Council.

It must be equally clear that the Museum cannot engage in indiscriminate acquisition. The diversity, human culture and artifacts, is so extraordinarily large that physical space limitations alone make comprehensive collecting impossible.

The financial aspects of fulfilling the Museum's continuing obligation to collect, preserve, maintain, and use representative samples of Mesquite and the Valley's history limits the Museum's acquisition capabilities.

### **How Objects and Collections are Acquired**

Objects and collections that are to become part of the Museum collection shall be accepted/acquired by direct gift, bequest, purchase, or exchange, and will become sole property of the Museum.

It should be understood that objects and collections, or other assets that may be sold in the future by the Museum upon approval from City Council.

### **Criteria and Priorities for Acquisition**

Criteria for determining whether an object should be accepted:

- The object is relevant and consistent with the Museum's mission and collection goals. (What is the local history significance of the object?)
- The object is documented as having been made or used in Mesquite/Virgin Valley. (Provenance of the object)
- The object is in good condition.
- The Museum can properly store and preserve the object.
- The object will be utilized in the foreseeable future.

- The object is not encumbered with conditions imposed by the donor regarding its use or disposition. (Title to all objects acquired for the permanent collection shall be obtained free and clear without restrictions to use or future disposition).
- The use of the object is not restricted or encumbered by intellectual property rights (Copyright, patent, trademark, or trade secret).
- The use of the object is not restricted or encumbered by its nature (obscene, defamatory, potentially an invasion of privacy, physically hazardous).
- The object is so unusual that it presents an exceptional opportunity for the Museum and thus should be given preferential consideration.
- If the object is offered for sale, it or a comparable object might be obtained by gift or bequest rather than purchase.
- The acceptance of the object in all probability will not result in major future expenses for the Museum (for conservation or maintenance or because it opens a new area of collecting).

The schedule of priorities for new acquisition is as follows:

<b>FIRST PRIORITY</b>	To strengthen collections areas in which the Museum has a current specialization and recognized historical interest.
<b>SECOND PRIORITY</b>	To broaden the comparative base of the Museum's established collection areas.
<b>THIRD PRIORITY</b>	To obtain collections of a general nature that is within the broad interests of the Museum.

### **Ethics of Acquisition**

All acquisitions by the Museum shall reflect its commitment to collect, preserve and guard the living and cultural heritage of Mesquite and the Virgin Valley.

Any acquisitions of Native American remains or cultural objects must be in full compliance with the Native American Graves Protection and Repatriation Act.

### **Laws Governing Acquisition**

The Museum will also refuse to acquire objects in any case where it has cause to believe that the circumstances of their collection involved the unscientific or intentional destruction of sites or monuments, or where state or federal laws have been violated. These standards also will be taken into account determining whether to accept loans for exhibition or other purposes. Reasonable effort will be made to ensure that these conditions are met, that title to the object or objects may properly be transferred to the Museum and the Museum keeps up to date on the changing laws and regulations concerning object collecting and owner-ship. The Museum will cooperate with authorities of the United States in legal action against those committing improprieties.

In attempt to avoid encouraging, even indirectly, trade in illicit or irresponsible recovered objects, the Museum will not authenticate any object whose acquisition does not meet the Museum's own criteria for acquisition. In addition, if the Museum should inadvertently acquire an object that is later determined to have been recovered in violation of the Museum's acquisition policy, the Museum will promptly return the object to the owner or transfer to the appropriate authorities.

### **Conditions of Acceptance**

With very few exceptions, all acquisitions are unconditional. The Museum cannot accept objects on which the owner has placed restrictions that would prevent normal exhibition use, loan or disposal in accordance with this established policy. Once the object is accepted it is a permanent property of the

Museum and the ownership transfers to the City of Mesquite. The Museum also cannot accept objects with restrictions requiring that they be placed on exhibition, or that the collection of which they form a part should be kept together permanently and /or displayed only as a discrete collection.

### **Standards of Documentation**

Minimum requirements of documentation, including provenience, should not vary in the Museum collection. Such standards are necessary requisites for objects to be added to the collection. The Museum cannot afford to permanently house objects lacking historical value. Objects with less than complete data, but having historical or educational value, may be accessioned at the discretion of the Museum Director.

### **Appraisal and Authentication of Acquisitions**

Gifts to the City of Mesquite are tax deductible. By law, the donor is required to determine the value of the donation. No member of the Museum staff shall, in his or her official capacity, give appraisals for the purpose of establishing the tax deductible value of gifts or purchases offered to the Museum. The U.S. Internal Revenue Service prohibits appraisals from a recipient institution that is directly involved in the transaction. Only appraisals from disinterested third parties are accepted.

No member of the Museum staff knowingly shall appraise, identify, or otherwise authenticate historical or cultural objects for other persons or agencies under circumstances that could encourage or benefit illegal, unethical, or irresponsible traffic in such objects. Where appropriate, the Museum will assist owners in finding qualified professionals who can provide appraisals.

### **Accessioning Acquisitions**

Before any collections or objects are accessioned into the Museum collection, a "Donor and Object Documentation Form" must be completed and filed in the permanent records. The form shall contain the following information:

- a. Donor's name, telephone and address.
- b. Object description.
- c. Where and when was the object obtained?
- d. Who made the object and what was its purpose?
- e. Uses of the object by donor and other people or family members, including when it was used.
- f. Documents (photographs, letters, bill of sale, artist's notes, newspaper articles, oral histories, etc.) related to the object that the donor is willing to include with the donation or allow the Museum to copy.
- g. If a photograph is donated, a description of the event or the people it depicts and/or the place and date it was taken.
- h. Personal memories or stories about the object that the donor would like the Museum to know.
- i. If any of the above information is used in exhibition labels or publications created by the Museum, the donor will be named, remain anonymous or be otherwise acknowledged.
- j. Donor statement/agreement read and signed by donor.

## **MAINTENANCE OF THE COLLECTIONS**

Every effort consistent with professional standards and ethics and within the financial resources of the City of Mesquite Virgin Valley Heritage Museum shall be made to preserve collections.

It is the responsibility of the Director to recommend conservation procedures for items in the collection.

Collections will be stored and exhibited in environmentally safe conditions with museum-standard levels of temperature and humidity to the extent possible.

A "Disaster Plan" to ensure the best possible protection of the collections in the event of fire, smoke, or water damage, or natural disaster should be created.

## **DISPOSITIONS (DEACCESSION)**

### **General Policy on Dispositions**

The Museum has the right, carefully and judiciously, to deaccession and dispose of objects from its collections.

Objects in the collections should be retained permanently if they continue to be useful to the purposes and activities of the Museum; if they continue to contribute to the integrity of the collections; and if they can be properly stored, preserved, and used.

As the collections grow and objects suffer deterioration, and objects that formally were a significant part of the collections may become surplus, the removal of such objects from the collections is considered a continual and routine process.

Upon recommendation of the Museum Director, objects may be disposed of by deaccessioning if it is determined that such action would improve or refine the collections, upon compliance with all legal requirements. A written deaccession request list with the reason(s) for the deaccession must be approved by the City Manager before proceeding to the City Council for authorization for disposal.

### **Disposal**

If objects are not needed by the Museum, upon approval of City Council, the Director may:

- a. Transfer/give the objects to appropriate public institutions.
- b. Discard or destroyed objects. (Only if the object has deteriorated beyond usefulness and no other method of disposal is appropriate).
- c. Sale of objects at an advertised public auction.

The preferred way to dispose of deaccessioned items is by auction. Any funds derived from the sale of deaccessioned objects will be used solely for collections acquisitions or conservation.

All objects for disposal will have all identifying marks and numbers removed from them and the disposal shall be noted in the appropriate paperwork and kept on file by the Museum. Objects shall not be given or sold privately to Museum employees or their relatives or representatives.

### **Criteria for Deaccession of Artifacts**

Each object being considered for deaccessioning must meet the following criteria and based upon one or more of the following:

- a. The object lacks value for scientific research or documentation, or for educational use.
- b. The object no longer retains its physical integrity, its identity, its provenience, or its authenticity.
- c. The object is not relevant to or consistent with the Museum's function and purpose. (The item does not in any way interpret the history of Mesquite/Virgin Valley or the lives of the people who lived in the City).
- d. The object is a duplicate of an item already in the collection. (The object may be replaced with a similar object of greater significance, quality, and better condition).

- e. The item cannot be given the necessary care or preservation.
- f. The object is subject to legal and ethical standards such as the Native American Grave Protection and Repatriation Act.
- g. The object is made of hazardous materials or is decomposing in a manner that affects the condition of other objects and/or the health and safety of the Museum's staff and/or visitors.

### **Transfer**

Permanent transfers of valuable objects may be recommended by the Museum Director and approved by the Mesquite City Council. Except in extraordinary circumstances they shall be made only to other public institutions. Transfers to private individuals shall be made only when the Director can demonstrate a benefit to the collection of the Museum and only after approval from the City Council.

The deaccessioning of human remains and cultural objects for repatriation to Native American tribes is a specialized form of transfer mandated by federal law in the Native American Graves Protection and Repatriation Act (NAGPRA). The Museum is committed to compliance with this legislation.

## **LOANS**

Collections may be loaned to or borrowed from other history museums, educational institutions, and other appropriate public institutions for research and/or exhibition purposes. A record of all incoming and outgoing loans shall be maintained as part of the permanent records of the Museum. Loaned objects shall be returned according to the written agreement of the lender.

### **Incoming Loans**

Incoming loans shall be accepted only for purposes of research or exhibition under the following conditions:

- a. No indefinite or long-term loans shall be accepted. Temporary loans will be for a specific period of time.
- b. Incoming loans shall not be accepted if they do not meet the same standards as the Museum.
- c. While the loaned objects are in the Museum's care, they will be handled, conserved, stored, and exhibited, as required by the lending institution or otherwise given the same professional care as if they were a part of the Museum's collection.

### **Outgoing Loans**

The Museum lends objects to qualified institutions of research and exhibition subject to the policies and practices consistent with the Museum's collection policies. However, the following pertain to all outgoing loans.

- a. Objects shall not be lent to individuals except under exceptional circumstances and then only by approval of the Museum's Director. Before lending to individuals, the Museum must make every effort to seek an institutional affiliation or endorsement for that person. If an institutional affiliation is impossible to establish, then written reasons must be stated with the loan form.
- b. Only those artifacts in stable, presentable condition will be considered for loan, unless conservation treatment for the objects is part of the loan agreement.
- c. Objects requested by students will require faculty or institutional endorsement and will be considered the direct responsibility of the faculty member or institutional representative endorsing the request.

- d. Loans shall not be transferred by the borrower to any other institution or individual without prior written approval.
- e. The duration of any loan shall be determined based on object being loaned and institution and/or individual being loaned to.
- f. Objects should not be loaned for destructive analysis.
- g. Security measures at the host institution will be reviewed prior to loan approval.
- h. Insurance documentation may be required prior to a loan approval.

## **ACCESS AND USE OF COLLECTIONS AND COLLECTIONS RECORDS**

The Museum will strive to make its collections and collections records available for study and examination by individuals for scholarly research and other legitimate purposes, subject to procedures necessary to safeguard the objects and to restrictions imposed by limitations of space and facilities, exhibition requirements, and availability of appropriate curatorial staff.

The Museum will allow access to and use of its collections and collection records in a controlled, professional manner that protects the physical and intellectual integrity of the collections and collections records. Access to the collections and collection records will not be unreasonably denied; however, staff and volunteers are aware of their responsibilities to preserve and protect objects in the collections, and therefore, the Museum reserves the right to control access.

Authority for permitting and monitoring access to and use of the collections and collections records is that of the Museum Director. Should particular questions arise regarding proper, legitimate access to and use of the collections and collections records, the City Attorney will be consulted.

Archival materials are deemed reference resources and are generally not available for circulation or loan.

### **Procedure for Access**

A written request specifying the objects and records to be examined (and if the researcher wishes to photograph the objects and in what format), the purpose and proposed date of examination, and researcher's current address and daytime telephone number, must be submitted to the Museum Director. If the request meets with the established policy of the Museum, the Director will schedule an appointment with the researcher and will provide supervised access to the specified objects and records.

The Restricted Museum Library can also be accessed only upon approval of the Museum Director and when staffing permits. If approved, staff or volunteers will locate and bring requested materials to researchers to the extent that it is possible. All materials should be handled as little as possible. All materials should be kept as flat as possible. Patrons may be asked to use cotton gloves for handling certain materials. Delicate or fragile items may be limited to staff only. Archival materials must not be marked, damaged, or altered in any way.

### **Commercial Use of Museum Objects**

The Museum collections normally are not available for commercial non-educational use. However, at the discretion of the Director and with the approval of the City Council, objects may be made available for reproduction for commercial sale. No commercial reproduction is permitted without a written agreement approved by the Museum Director, City Attorney and City Council. The Museum reserves the right to license vendors, collect royalties, initiate fees, or otherwise control the use of its collections as may be deemed appropriate and lawful.



### **Publication and Reproduction Permission**

Copyright protection extends to all unpublished works now protected under common law. This includes collections of the Virgin Valley Heritage Museum. Researchers must obtain permission in writing from the Museum Director to publish any materials from the Museum's collections. This includes the reproduction of photographs or materials. Penalties for copyright violation are severe.

### **Photography of Collections and Request for Photographs**

No publication or commercial use of photographs taken in the Museum's exhibition areas is permitted without the written approval of the Museum Director.

Requests for obtaining photographs of objects in the Museum's collections will be submitted in writing to the Museum Director.

If the request is to publish a photograph of an object, and is subsequently approved, the photograph will be appropriately credited and the Museum will be provided a complimentary copy of the publication.

The purchase of photographic prints or transparencies of Museum objects does not convey to the purchaser any rights of copyright.

The Museum reserves the right to deny a request for photographs of the Museum's collections.

### **Fees**

Photocopies are available for a fee. "Courtesy of the Virgin Valley Heritage Museum" should be stamped on each sheet.

Original positive and negative images from the Museum's collections may be available for duplication and purchase. Fees will be established for the reproduction and publishing of photos, negatives, slides, and transparencies. The Museum reserves the right to select the vendor to provide such special photographic services.

The Museum further reserves the right to levy fees for the use of its copyright materials, photographs, and reproductions.

Persons may be charged a fee for research requests to be fulfilled.

### **Photocopying**

If photocopying is requested, please contact a staff member. Not all materials are in a condition that will withstand the photocopying process. The Staff will have final authority to decide which materials are suitable for photocopying.

Copies are provided for personal use and study purposes only.

### **Use in Exhibitions**

The Museum places original, reconstructed, and duplicated objects from the collections on public exhibition. These objects remain the curatorial responsibility of the collection from which they originated, and shall be treated in a manner consistent with the policies stated above. If the Director determines that exhibition will damage the objects, or is damaging the objects from the collection, the situation shall be remedied immediately. Such remedy may entail removal of the objects from exhibition with the approval of the Director.

### **Destructive Analysis**

Destructive analysis is not allowed, except under exceptional circumstances, and requires prior approval of the Director. The Museum's legal, professional, and moral obligation to maintain its collections for the public good extends even to destructive analysis.

On occasion, destructive analysis of specimens yields information which benefits the collection and is in the public interest. This is particularly true when redundant, not unique, specimens or materials are involved.

When destructive analysis is appropriate, every effort should be made to limit destruction to less than the entire specimen and to save what remains so it will continue to be available for research and education.

Requests for destructive analysis must detail the specimens or materials required and the procedures to be conducted. Any remains from the analysis remain property of the Museum unless other provisions are specifically allowed in writing by the curator prior to destruction. In cases involving the dissection of biological specimens, the undestroyed component parts shall be returned to the collection along with associated identifying tags or marks. The data resulting from the destructive analysis shall become part of the collection of the Museum and will be maintained with the records associated with the materials analyzed.

## **RECORDKEEPING**

Systematic records concerning the Museum's collections shall be maintained at all times. They will consist of 1) Registration/Accession records (Deeds of gift, Transfer correspondence, Wills/Trust, other evidence of ownership, Accession Worksheets, Records of Purchase, and Valuation documents), 2) Deaccession Records, 3) Loan forms, and 4) Inventory forms.

Collections records will be protected, in so far as possible, from destruction by creating duplicate files to be stored in an off-site location.

## **DEFINITIONS**

**Accession** refers to the specific procedures that are followed in the recording/logging of new objects into the Museum's collections following acquisition.

**Acquisition** involves all transactions by which title to incoming objects is transferred to the Museum or by which the objects come under the professional administrative and curatorial control of the Museum, and includes gifts, bequests, purchases, and exchanges, in addition to collection by the Museum staff.

**Catalog** refers to the curatorial process of classifying and documenting objects usually in complete descriptive detail resulting in extensive information in the form of cards, files, publications, and automated data.

**Collections** is an assemblage of objects acquired, accessioned, and conserved because of their historic significance and educational value.

**Curation** embrace all aspects of professionally caring for the collections and the objects they contain, including, but not limited to, acquiring, accessioning, cataloguing, maintaining, preserving, restoring, deaccessioning, and disposing of the collections, objects, field notes databases, and other associated records and documentation.

**Deaccession** refers to the specific procedures that are followed in removing objects from the Museum's collections in preparation for disposition.

**Disposition** involves all transactions by which title to outgoing objects are transferred from the Museum to another institution or individual, as well as disposal by intentional destruction.

**Documentation** is the process of producing records to identify and enhance the knowledge and value of collections with the intent of maintaining informational and intellectual control over them.

**Inventory** refers to the process of locating and listing the accessioned and non-accessioned objects by location.

**Loan** is the temporary transfer of collection items from the museum, or temporary transfer of items to the museum for stated museum purposes. The transfer does not involve a change of ownership.

**Object** encompasses all collection materials, including, but not limited to, specimens, artifacts, articles, photographs, illustrations, drawings, archival and library materials, field notes, and records, and exhibits.

**Registration** is the overall function of creating, controlling and maintaining information, immediately and briefly, about all objects owned by, and in the care, custody, and control of a museum.

**Value (Accession)** is the monetary amount assigned as the value of an object, assembly, or lot at the time of acquisition as determined by a professional appraisal, estimate, or prior, recent sale of comparable example.

**Value (Market)** is the dollar value at which an object would be sold assuming an informed, willing buyer.